

Background

On 5 July 1995 Colin Duffy was convicted of the murder on 24 June 1993 of John Lyness, a retired UDR soldier, and of possession of a firearm and ammunition with intent to endanger life.

The prosecution's case, depended crucially on the evidence of two witnesses, whom the trial judge decided that should not be publicly identified. Witness B claimed that he had recognised Duffy in the act of shooting his victim while Witness C claimed to have seen two cyclists, one of whom he later identified as Duffy, riding past him from the direction of the scene of the murder. The defence attacked the credibility of Witness C but the judge expressed himself satisfied that his evidence was credible and reliable.

It subsequently emerged publicly that Witness C was Lindsay Robb, a prominent Loyalist, who earlier this year was sentenced to 10 years' imprisonment in Scotland on charges arising out of attempts to obtain guns for a loyalist paramilitary organisation. Crown Counsel subsequently indicated that at appeal no reliance would be placed on Robb's evidence.

The hearing of Duffy's appeal began on 16 September and concluded on 18 September. Judgment was reserved. It attracted attention from a number of human rights groups in Ireland and America and the first day of the hearing was attended by the former Taoiseach, Mr Albert Reynolds.